



From: "InsideEPA.com" <epa-alerts@iwpnews.com>  
To: Mindy Kairis/DC/USEPA/US@EPA  
Please respond to "InsideEPA.com" <epa-alerts@iwpnews.com>

To ensure you receive our emails, please add epa-alerts@iwpnews.com to your address book.

## Latest News

### **DOD Plans Early Elevation Of 'Act Of War' Cleanup Disputes With EPA**

The Defense Department (DOD) is moving ahead with its interpretation of legal provisions that free DOD and other entities from liability for pollution solely caused by an "act of war" after failing to reach agreement with EPA over the issue, but the department is including language in a new cleanup manual that would quickly elevate any site-specific disputes to headquarters, a DOD official said.

### **Shell Seeks Quick EAB Ruling On Precedent-Setting Arctic Air Permits**

Shell is asking EPA's Environmental Appeals Board (EAB) for an unusual "status conference" to seek a quick ruling in a case over precedent-setting EPA-issued air permits for offshore Arctic drilling operations, claiming an EAB decision is vital because another federal agency is moving to approve Shell's drilling plan for next summer.

### **Activists' Suit Seeks Deadline On EPA Plan To Issue Cement GHG Limits**

EPA says it is working toward proposing first-time greenhouse gas (GHG) emission limits for the Portland cement industry, but the agency's lack of a specific timetable for proposing such limits has prompted environmentalists to file a lawsuit in federal appeals court with the goal of winning a firm deadline for issuing GHG limits for the sector.

### **Suit Over EPA Cement Air Rule Challenges 'Affirmative' Defense Policy**

Environmentalists have filed a lawsuit challenging EPA's inclusion in its cement air toxics rules of a new policy establishing an "affirmative defense" for industry against civil Clean Air Act penalties for some excess emissions that violate air pollution limits, setting up what could be the first legal test for the nascent defense policy.

### **EPA Support For Key 'Pristine' Waters Program Leaves Open Questions**

## Latest Blogs

### **E15 Delay**

EPA is delaying until next year its decision on whether 15 percent ethanol blend fuels (E15) are safe for model year 2001-2006 cars and trucks, . . .

### **Fracking Tort Case To Continue**

A federal judge has denied almost all efforts by the oil and gas company Cabot to dismiss a tort lawsuit that citizens brought against the . . .

### **EPA Appeals Board Backs GHG BACT**

EPA's Environmental Appeals Board (EAB) has cleared the way for construction of the first power plant in the nation to incorporate greenhouse gas (GHG) emission . . .

### **Inhofe Wants Boozman For EPW**

Sen. James Inhofe (R-OK) says he wants Sen.-elect John Boozman (R-AR) to take one of two additional seats Republicans could gain on the Environment & . . .

### **'Hotline' For Lead Fixtures Bill**

Sen. James Inhofe (R-OK), ranking member on the environment committee, says senators have "hotlined" for unanimous consent approval later today a bipartisan legislative proposal to . . .

EPA has partially approved Kentucky's landmark plan for determining how to provide increased protection to pristine waters, but activists say the agency's action fails to clarify which waters are subject to the strict requirements, maintaining uncertainties that they say stem from an appellate ruling but which could potentially spark further litigation and intensified lobbying to have EPA address the issue in a pending rulemaking.

## **Cement Maker Objects To EPA Push For Hard Data On Coal Ash 'Stigma'**

A major cement manufacturer is objecting to EPA's insistence in its proposal to issue first-time Resource Conservation & Recovery Act (RCRA) rules for coal ash that industry provide hard data to support its concerns that a hazardous waste designation will stigmatize beneficial reuse of coal ash in cement and other products.

### **About This Message**

This message has been provided as a service of the EPA Desktop Library by the EPA National Library Network to share the latest in news and information with Agency staff. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Kathleen Dougherty at 202-566-0579 or send an e-mail to [dougherty.kathleen@epa.gov](mailto:dougherty.kathleen@epa.gov).

Please do not respond to this e-mail, as it was sent from an unmonitored mailbox. If you have a customer service inquiry, please contact us at [iepa@iwpnews.com](mailto:iepa@iwpnews.com). If you no longer wish to receive these messages, or you would like manage what e-mail alerts you receive, please [go here](#) (you will need to log onto InsideEPA.com and enter your e-mail address).

**Mailing address:** 1919 South Eads Street, Suite 201, Arlington VA 22202

**Telephone:** 703-416-8500 or 1-800-424-9068

Copyright © 2010 Inside Washington Publishers. All rights reserved